



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
REGION 8, MONTANA OFFICE  
FEDERAL BUILDING, 10 W. 15<sup>th</sup> STREET, SUITE 3200  
HELENA, MONTANA 59626

Ref: 8MO

October 28, 2013

Ms. Jeri Hoffman  
Doney Crowley Payne Bloomquist PC  
P.O. Box 1185  
Helena, MT 59624

RE: EPA-R8-2013-009553

Dear Ms. Hoffman:

This is in response to your Freedom of Information Act request dated August 30, 2013.

We are unable to provide you with the requested record because it is exempt from mandatory disclosure by virtue of 5 U.S.C. 552(b), exemptions 5 (deliberative process, attorney work product) and 7A (enforcement sensitive).

The record that is being withheld is:

Appendix B to the July 11, 2006 Final Potentially Responsible Party Research Report, East Helena Zinc Plant, Lewis and Clark County, Montana, prepared for USEPA Region 8 by Toernoek Associates, Inc.

Under the FOIA, you have the right to appeal this determination to the National Freedom of Information Office, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, N.W. (2822T), Washington, DC 20460, email: [FOIA\\_HQ@epa.gov](mailto:FOIA_HQ@epa.gov). Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, NW. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, DC 20004. Your appeal must be made in writing, and must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal letter should include the FOI number listed above. For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."



If you have any questions regarding this response, please contact Debbie Clevenger of my staff at 406-457-5004 or Steven Moores Region 8 Attorney at 303-312-6857.

Sincerely,

A handwritten signature in blue ink, reading "Julie A. DalSoglio". The signature is fluid and cursive, with the first name "Julie" and last name "DalSoglio" clearly legible.

Julie A. DalSoglio, Director  
Montana Office